

IFP, APPEAL

**U.S. Bankruptcy Court
Northern District of Georgia (Atlanta)
Bankruptcy Petition #: 23-54088-pmb**

Assigned to: Judge Paul Baisier
Chapter 7
Voluntary
Asset

Date filed: 05/01/2023
341 meeting: 06/06/2023
Deadline for objecting to discharge: 08/07/2023

Debtor

Tracey E. Brown
PO Box 75
Grayson, GA 30017
GWINNETT-GA
SSN / ITIN: xxx-xx-2790

represented by **Tracey E. Brown**
PRO SE

Trustee

Neil C. Gordon
Taylor English Duma LLP
Suite 200
1600 Parkwood Circle SE
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404-640-5917

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U.S. Trustee

Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303
404-331-4437

Filing Date	#	Docket Text
05/01/2023	<u>1</u>	Case Opened and Voluntary Petition Filed. (jcm) Additional attachment(s) added on 5/1/2023 (aam).
05/01/2023	<u>2</u>	Statement of Social Security Number (Official Form B121) (Document is restricted and can only be viewed by Court staff.) filed by Tracey E. Brown . (aam)
05/01/2023	<u>3</u>	Application for Waiver of Chapter 7 Filing Fee filed by Tracey E. Brown . (aam)

05/02/2023			Notice of Debtor's Prior Filings for debtor Tracey E. Brown Case Number <u>20-60324</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 01/06/2020 , Dismissed for failure to make plan payments on 03/18/2020; Case Number <u>17-70649</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 11/29/2017 , Dismissed for failure to make plan payments on 03/05/2018; Case Number <u>22-51368</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 02/18/2022 , Dismissed for failure to make plan payments on 08/02/2022; Case Number <u>22-57976</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 10/04/2022 , Dismissed for failure to make plan payments on 12/15/2022; Case Number <u>18-56988</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 04/26/2018 , Dismissed for failure to pay filing fee on 08/22/2018; Case Number <u>17-59612</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 06/02/2017 , Dismissed for failure to make plan payments on 11/29/2017; Case Number <u>14-55615</u> , Chapter 7 filed in Georgia Northern Bankruptcy Court on 03/19/2014 , Standard Discharge on 08/08/2014; Case Number <u>19-58060</u> , Chapter 13 filed in Georgia Northern Bankruptcy Court on 05/24/2019 , Dismissed for failure to make plan payments on 08/29/2019.(Admin)
05/02/2023		<u>4</u>	Motion of Emergency Stay and Motion to Request a Grand Jury Hearing on Appeal filed by Tracey E. Brown. (hd) Modified on 5/2/2023 (lyb).
05/02/2023		<u>5</u>	Order Regarding the List of Creditors with deficiencies noted. Failure to comply will result in dismissal of case without further notice. Service by BNC. List of all creditors due 5/9/2023. Entered on 5/2/2023. (lyb)
05/02/2023		<u>6</u>	Order Setting Deadlines for Debtor to Correct Filing Deficiencies (Individual). Service by BNC. Statement of Financial Affairs due 5/15/2023. Schedule(s) due by 5/15/2023. Declaration About Debtors Schedules (B106) due 5/15/2023. Summary of Assets and Liabilities due 5/15/2023. Statement of Income and, if applicable, Means Test Calculation Form due: 5/15/2023. Credit Counseling Certificate due 5/15/2023. Debtor Payment Advices due: 5/15/2023. (lyb)
05/02/2023		<u>7</u>	Certificate of Service of Motion of Emergency Stay filed by Tracey E. Brown . (related document <u>4</u>) (hd)
05/02/2023		<u>8</u>	Notice of Meeting of Creditors (Chapter 7 – Individual – No Asset). Telephonic 341 Meeting to be held on 6/6/2023 at 10:10 AM (See notice for telephonic call-in information (Ch. 7 Gordon)). (Admin) Objections for Discharge due by 8/7/2023
05/02/2023		<u>9</u>	Notice to Debtor Regarding Debtor Electronic Noticing. Service by BNC. (ADiclerk)
05/04/2023		<u>10</u>	Order DENYING Debtor's Motion of Emergency Stay (Related Doc # <u>4</u>) Service by BNC. Entered on 5/4/2023. (cdp)
05/04/2023		<u>11</u>	Notice of Appearance Filed by Kathlyn Flora Ibrahim Fouad Khashan on behalf of Deutsche Bank National Trust Company as Trustee for the Merrill Lynch Investors Trust, Mortgage Loan. (Khashan, Kathlyn)
05/04/2023		<u>12</u>	Certificate of Mailing by BNC of Notice of Meeting of Creditors Notice Date 05/04/2023. (Admin.) (Entered: 05/05/2023)
05/04/2023		<u>13</u>	Certificate of Mailing by BNC of Order Regarding List of Creditors Notice Date 05/04/2023. (Admin.) (Entered: 05/05/2023)

05/04/2023		<u>14</u>	Certificate of Mailing by BNC of Order on Deadlines to Correct New Case Deficiency – Individual. Notice Date 05/04/2023. (Admin.) (Entered: 05/05/2023)
05/04/2023		<u>15</u>	Certificate of Mailing by BNC of Notice to Debtor Regarding Debtor Electronic Noticing Notice Date 05/04/2023. (Admin.) (Entered: 05/05/2023)
05/06/2023		<u>16</u>	Certificate of Mailing by BNC of Order to Stay Proceedings Notice Date 05/06/2023. (Admin.) (Entered: 05/07/2023)
05/08/2023		<u>17</u>	Motion for Relief from Stay Fee \$ 188, filed by Kelly E. Waits on behalf of American Credit Acceptance, LLC. Hearing to be held on 5/22/2023 at 01:00 PM in Courtroom 1202, Atlanta. (Waits, Kelly)
05/08/2023			Receipt of Motion for Relief from Stay(<u>23-54088-pmb</u>) [motion,185] (188.00) filing fee. Receipt Number A58855751. Fee Amount 188.00 (re: Doc# <u>17</u>) (U.S. Treasury)
05/09/2023		<u>18</u>	Debtor Request to Begin Electronic Noticing filed by Tracey E. Brown . (hd)
05/09/2023		<u>19</u>	Pro Se Affidavit filed by Tracey E. Brown . (hd)
05/09/2023		<u>20</u>	List of Creditors filed by Tracey E. Brown . (hd)
05/10/2023		<u>21</u>	Amended Notice of Hearing Filed by Kelly E. Waits on behalf of American Credit Acceptance, LLC. Hearing to be held on 6/12/2023 at 01:00 PM in Courtroom 1202, Atlanta. (related document(s) <u>17</u>)(Waits, Kelly)
05/12/2023		<u>22</u>	Certificate of Mailing by BNC of Notice of Meeting of Creditors Notice Date 05/12/2023. (Admin.) (Entered: 05/13/2023)
05/15/2023		<u>23</u>	Credit Counseling Service Certificate filed by Tracey E. Brown . (rfs) Modified on 5/18/2023 [Pursuant to Amended and Restated General Order 45–2021, this document was received for filing via email](aam). (Entered: 05/16/2023)
05/15/2023		<u>24</u>	Statement of Financial Affairs , Schedule A/B , Schedule C , Schedule D , Schedule E/F , Schedule G , Schedule H , Schedule I , Schedule J–2 Expenses for Separate Household of Debtor 2 , Chapter 7 Statement of Monthly Income/Mean Test Document(s) filed by Tracey E. Brown . (related document(s) <u>6</u>) [Pursuant to Amended and Restated General Order 45–2021, this document was received for filing via email.] (hd) (Entered: 05/16/2023)
05/22/2023		<u>25</u>	Order GRANTING Debtors Application to Waive the Chapter 7 Filing Fee. (Related Doc # <u>3</u>) Service by BNC.. Entered on 5/22/2023. (sls)
05/24/2023		<u>26</u>	Certificate of Mailing by BNC of Order re: In Forma Pauperis Notice Date 05/24/2023. (Admin.) (Entered: 05/25/2023)
06/06/2023			Section 341(a) meeting held and concluded (hd) (Entered: 06/26/2023)
06/07/2023		<u>27</u>	Chapter 7 Trustee's Report of Assets and Request to Set Claim Deadline filed by Trustee. (Gordon, Neil)

06/08/2023		<u>28</u>	Notice Setting Deadline to File Proofs of Claim. Service by BNC Proof of Claims due by 9/6/2023. (jcm)
06/10/2023		<u>29</u>	Certificate of Mailing by BNC of Notice Fixing Claim Deadline Notice Date 06/10/2023. (Admin.) (Entered: 06/11/2023)
06/12/2023		<u>30</u>	Because no party in interest has filed a request for an order of dismissal pursuant to 11 U.S.C. 521(i)(2) and because the parties in interest should not be subjected to any uncertainty as to whether this case is subject to automatic dismissal under 521(i)(1), Debtor is not required to file any further document pursuant to 521(a)(1)(B) to avoid an automatic dismissal and this case is not and was not subject to automatic dismissal under 521(i)(1). This does not prevent any party in interest from requesting by motion that Debtor supply further information described in 521(a)(1)(B), and this does not prevent the United States Trustee or Chapter 7 Trustee from requesting by any authorized means, including but not limited to motion, that the Debtor supply further information. (ADIClerk)
06/15/2023		<u>31</u>	Order GRANTING Motion for Relief from Stay of American Credit Acceptance, LLC . (Related Doc # <u>17</u>) Service by BNC.. Entered on 6/15/2023. (mrw)
06/15/2023		<u>32</u>	Application to Employ Taylor English Duma LLP as Attorneys for Chapter 7 Trustee filed by Neil C. Gordon on behalf of Neil C. Gordon. (Gordon, Neil)
06/16/2023		<u>33</u>	Order Approving Trustees Counsel, Neil C. Gordon of Taylor English Duma LLP, Subject to Objection. (Related Doc # <u>32</u>). To be served by Trustee. Entered on 6/16/2023. (mrw)
06/17/2023		<u>34</u>	Application to Employ Harry Norman Realtors and Robin Blass/Lauren Blass as Real Estate Broker for the Bankruptcy Estate filed by Neil C. Gordon on behalf of Neil C. Gordon. (Gordon, Neil)
06/17/2023		<u>35</u>	Certificate of Mailing by BNC of Order on Motion for Relief from Stay Notice Date 06/17/2023. (Admin.) (Entered: 06/18/2023)
06/18/2023		<u>36</u>	Certificate of Mailing by BNC of Order on Application to Employ Notice Date 06/18/2023. (Admin.) (Entered: 06/19/2023)
06/20/2023		<u>37</u>	Order Approving Employment of Broker, Harry Norman Realty and Robin Blass/Lauren Blass, Subject to Objection. (Related Doc # <u>34</u>). To be served by Counsel for the Trustee. Entered on 6/20/2023. (mrw)
06/22/2023		<u>38</u>	Certificate of Mailing by BNC of Order on Application to Employ Notice Date 06/22/2023. (Admin.) (Entered: 06/23/2023)
06/26/2023		<u>39</u>	Trustee's Emergency Motion for an Order (A) Compelling Debtor to (I) Perform Her Statutory Duties and (II) Turn Over Property of the Bankruptcy Estate and (B) Prohibiting Debtor from Removing Fixtures or Property of the Bankruptcy Estate filed by Neil C. Gordon on behalf of Neil C. Gordon. (Gordon, Neil) Modified on 6/27/2023 (cws).
06/26/2023		<u>40</u>	Notice of Hearing Filed by Neil C. Gordon on behalf of Neil C. Gordon. Hearing to be held on 7/10/2023 at 01:10 PM in Courtroom 1202, Atlanta. (related document(s) <u>39</u>)(Gordon, Neil)
07/06/2023		<u>41</u>	

			Motion for Continuance filed by Tracey E. Brown . (related document(s) 40) [Pursuant to Amended and Restated General Order 45–2021, this document was received for filing via email.] (rfs) (Entered: 07/07/2023)
07/07/2023		42	Motion for Continuance of Case Protection of Private Property Rights Tyler vs. Hennepin County, Motion of Adversary Complaint of Trustee, and its Agents: Private Practice Attorney and Realtors to push Tactics for Keys, Motion to Investigate Trustee's Financial Records, Improperly Acquiring Property of Estate 18 U.S.C 154– Adverse Interest and Conduct of Officers, Motion to have Exempt Equity, Motion to Deny Neil Gordon's Trustee's Emergency Order to Compel Tracey Brown to Turn Over Property of the Bankruptcy Estate (There has been no Transfer) Appeal of– the Denial of an Emergency Stay filed by Tracey E. Brown . (related document(s) 39)[Pursuant to Amended and Restated General Order 45–2021, this document was received for filing via email](aam) (Entered: 07/11/2023)
07/13/2023		43	Order On Trustees Motion for An Order (A) Compelling Debtor To (I) Perform Her Statutory Duties And (II) Turn Over Property of The Bankruptcy Estate And (B) Prohibiting Debtor From removing fixtures Or Property of The Bankruptcy Estate, And Denying Debtors Motion for Continuance and Overruling Debtors Objection. ORDERED that the Motion for Continuance is DENIED; and it is further ORDERED that the Trustees Motion to Compel is GRANTED as to the alternative relief requested and Debtor's Objection is OVERRULED. (Related Doc 39 , 41 , 42) Service by BNC. Entered on 7/13/2023. (mrw) Modified linkage on 7/14/2023 (amm).
07/15/2023		44	Certificate of Mailing by BNC of Order on Motion to Compel Notice Date 07/15/2023. (Admin.) (Entered: 07/16/2023)
07/24/2023		45	Notice to Debtor(s) Regarding Financial Management Certificate Due. Service by BNC. (ADIClerk).
07/26/2023		46	Certificate of Mailing by BNC of Notice to Debtor Re: Financial Mgmt. Cert. Notice Date 07/26/2023. (Admin.) (Entered: 07/27/2023)
07/27/2023		47	Motion to Reconsider #43 filed by Tracey E. Brown . (related document(s) 43) (rfs)
07/31/2023		48	Notice of deficient filing re: Missing Certificate of Service. Service by BNC. (related document(s) 47) (lyb)
08/01/2023		49	Motion for Order to Show Cause / <i>Notice of Default, Request for Show–Cause Hearing, and Renewed Motion for Turnover of Property of the Estate</i> filed by Neil C. Gordon on behalf of Neil C. Gordon. (related document(s) 43) (Gordon, Neil)
08/02/2023		50	Certificate of Mailing by BNC of Notice of Deficiency Notice Date 08/02/2023. (Admin.) (Entered: 08/03/2023)
08/04/2023		51	Order And Notice of Hearing on Debtor's Motion to Appeal, Reconsider, Or Convert Chapter 7 Case to Chapter 13, And Trustee's Request for Show Cause Hearing and Renewed Motion for Turnover of Property of The Estate. Service by BNC. Hearing to be held on 8/21/2023 at 10:00 AM in Courtroom 1202, Atlanta. Entered on 8/4/2023. (related document(s) 47 , 49) (mrw)

08/06/2023		<u>52</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 08/06/2023. (Admin.) (Entered: 08/07/2023)
08/09/2023		<u>53</u>	Trustee's Objection to Debtor's Motion to Appeal, Reconsider, or Convert Chapter 7 to Chapter 13 filed by Neil C. Gordon on behalf of Neil C. Gordon. (related document(s) <u>47</u>)(Gordon, Neil) Modified on 8/10/2023 (lyb).
08/22/2023		<u>54</u>	Order Denying Motion to Convert And/or For Other Relief. (Related Doc # <u>47</u> , <u>53</u>) Service by BNC. Entered on 8/22/2023. (mrw)
08/22/2023		<u>55</u>	Order On Trustee's Notice of Default, Request for Show-Cause Hearing, And Renewed Motion for Turnover of Property of The Estate. ORDERED that Debtor is hereby found in contempt of the Compel Order. Debtor can abate the Contempt if, on or before August 28, 2023, Debtor complies with the terms included in this order. Service by BNC. Entered on 8/22/2023. (related document(s) <u>49</u>) (mrw)
08/24/2023		<u>56</u>	Certificate of Mailing by BNC of Order on Motion to Reconsider Notice Date 08/24/2023. (Admin.) (Entered: 08/25/2023)
08/24/2023		<u>57</u>	Certificate of Mailing by BNC of Order Notice Date 08/24/2023. (Admin.) (Entered: 08/25/2023)
08/30/2023		<u>58</u>	Notice of Appeal to District Court, Fee \$ 298 Receipt Number: None, Amount Paid \$ None, filed by Tracey E. Brown . Appellant Designation due by 9/13/2023, submission by USBC to USDC due by 9/29/2023, (related document(s) <u>55</u>) (rfs) Additional attachment(s) added on 9/1/2023 (yl). (Entered: 08/31/2023)
08/30/2023		<u>59</u>	Request to Proceed In Forma Pauperis (specify): filed by Tracey E. Brown . (related document(s) <u>58</u>) (rfs) (Entered: 08/31/2023)
08/30/2023		<u>60</u>	Motion to investigate trustee's financial records to include attorney Neil Gordon and realtor, Robin Glass, Improperly Acquiring Property of Estate 18 U.S.C 154-Adverse interest and conduct of officers filed by Tracey E. Brown . (yl) (Entered: 09/01/2023)
09/01/2023		<u>61</u>	Notification of Appeal Requirements (related document(s) <u>58</u>) (yl)